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## House of Representatives

The House was not in session today. Its next meeting will be held on Monday, February 15, 2021, at 9:30 a.m.

## Senate

SATURDAY, FEBRUARY 13, 2021

The Senate met at 10:01 a.m. and was called to order by the President pro tempore (Mr. LEAHY).

### TRIAL OF DONALD J. TRUMP, PRESIDENT OF THE UNITED STATES

The PRESIDENT pro tempore. The Senate will begin as a Court of Impeachment.

#### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O Lord, our God, yesterday this Chamber reverberated to a standing ovation for the courage of Officer Eugene Goodman in defending this building and human life. May our legislative jurors strive to emulate his courage in their defense of the United States Constitution. Lord, touch and move them to believe that the end does not justify the means. Help them to remember that the end is inherent and built into the means. Fill our Senators with the spirit that combines common sense with commitment, conscience, and courage.

We pray in Your merciful Name. Amen.

#### PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

#### THE JOURNAL

The PRESIDENT pro tempore. Senators, please be seated.

If there is no objection, the Journal of proceedings of the trial are approved to date.

And I would ask the Sergeant at Arms to make the proclamation.

The Acting Sergeant at Arms, Jennifer A. Hemingway, made the proclamation as follows:

Hear ye! Hear ye! All persons are commanded to keep silence, on pain of imprisonment, while the Senate of the United States is sitting for the trial of the Article of Impeachment exhibited by the House of Representatives against Donald John Trump, former President of the United States.

The PRESIDENT pro tempore. Pursuant to the provisions of S. Res. 47, the Senate has provided up to 2 hours of argument by the parties, equally divided, on the question of whether or not it shall be in order to consider and debate under the impeachment rules any motion to subpoena witnesses or documents.

Are both parties ready to proceed at this point?

Mr. Counsel CASTOR. Yes, Mr. President.

Mr. Manager RASKIN. We have a motion.

The PRESIDENT pro tempore. They may proceed.

#### MOTION TO SUBPOENA WITNESSES

Mr. Manager RASKIN. Thank you, Mr. President.

Good morning, Senators.

Over the last several days, we have presented overwhelming evidence that establishes the charges in the Article of Impeachments. We have shown you how President Trump created a powder keg, lit a match, and then continued his incitement, even as he failed to defend us from the ensuing violence.

We have supported our position with images, videos, affidavits, documents, tweets, and other evidence, leaving no doubt that the Senate should convict. We believe we have proven our case.

But last night, Congresswoman JAIME HERRERA BEUTLER of Washington State issued a statement confirming that in the middle of the insurrection, when House Minority Leader KEVIN MCCARTHY called the President to beg for help, President Trump responded:

Well, Kevin, I guess these people are more upset about the election than you are.

Needless to say, this is an additional critical piece of corroborating evidence, further confirming the charges before you, as well as the President's willful dereliction of duty and desertion of duty as Commander in Chief of the United States, his state of mind, and his further incitement of the insurrection on January 6.

For that reason, and because this is the proper time to do so under the resolution that the Senate adopted to set the rules for the trial, we would like the opportunity to subpoena Congresswoman HERRERA regarding her communications with House Minority Leader KEVIN MCCARTHY and to subpoena her contemporaneous notes that she made regarding what President Trump told KEVIN MCCARTHY in the middle of the insurrection.

We would be prepared to proceed by Zoom deposition of an hour or less just as soon as Congresswoman HERRERA BEUTLER is available and to then proceed to the next phase of the trial, including the introduction of that testimony shortly thereafter.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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